

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHN RACZKOWSKI, as Personal  
Representative of the Estate of  
SARAH M. RACZKOWSKI, deceased,

Plaintiff,  
vs.

TRANSPORT MIDEN, INC., a  
Canadian corporation,

Defendant.

File No. 1:07-CV-596

Hon. Robert J. Jonker

**PLAINTIFF RACZKOWSKI'S**  
**ORDER APPROVING**  
**SETTLEMENT AND**  
**AUTHORIZING DISTRIBUTION**  
**OF PROCEEDS**

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NEMR DAKROUB,

Plaintiff,  
vs.

TRANSPORT MIDEN, INC.

Defendant.

CONSOLIDATED WITH:

File No. 1:07-CV-986

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PLAINTIFF RACZKOWSKI'S ORDER APPROVING SETTLEMENT  
AND AUTHORIZING DISTRIBUTION OF PROCEEDS

At a session of said Court held in the City of  
Grand Rapids, County of Kent, and State of  
Michigan, this 5<sup>th</sup> day of January,  
2009.

PRESENT: HON. HUGH W. BRENNEMAN, JR., MAGISTRATE JUDGE

This Court having reviewed the motion of the Plaintiff John Raczkowski to approve settlement and distribution of proceeds, and being fully advised in the premises;

*IT IS HEREBY ORDERED* that the settlement between the Plaintiff Raczkowski and the Defendant and its insurance company in the amount of \$1,100,000.00 is approved;

*IT IS FURTHER ORDERED* that Chambers, Steiner & Sturm, P.L.C., shall be reimbursed for costs incurred in the prosecution of this claim in the amount of \$46,795.44;

*IT IS FURTHER ORDERED* that Chambers, Steiner & Sturm, P.L.C., shall be paid a 33-1/3% contingency fee in the amount of \$351,068.00, to be paid in two separate checks, including their costs reimbursed as set forth below;

*IT IS FURTHER ORDERED* that zero (\$0) be paid into the Estate of Sarah Raczkowski, because it appears that Sarah Raczkowski's death was instantaneous and she did not sustain any conscious pain and suffering, and because all hospital, funeral and burial expenses have been paid and the Estate is not indebted to pay or reimburse such expenses;

*IT IS FURTHER ORDERED* that the \$1,100,000.00 shall be distributed by checks issued by Defendant's insurance carrier as follows:

- a. PASSCORP, for purchase of an  
annuity for Nathanyel Raczkowski . . . . . \$352,000.00
- b. Andrew Raczkowski . . . . . \$75,000.00

- c. Katherine Raczkowski . . . . . \$75,000.00
- d. John and Carol Raczkowski . . . . . \$200,136.56
- e. For the benefit of Chambers, Steiner & Sturm, PLC  
as follows:
  - i. Pacific Life & Annuity Service, Inc., for the  
purchase of an annuity for Martin R. Sturm . . . \$350,000.00
  - ii. Check payable to Chambers, Steiner  
& Sturm, PLC \$47,863.44

*IT IS FURTHER ORDERED* that the Plaintiff John Raczkowski is authorized to sign and enter into a release and settlement agreement with the Defendant and its insurance carrier to settle all claims arising from the death of Sarah Raczkowski.

/s/ Hugh W. Brenneman, Jr.  
Hon. Hugh W. Brenneman, Jr.  
Magistrate Judge